

CLAUSE H-29 – PERFORMANCE OF WARRANTY SERVICE (August 2002)

- (a) With respect to Clause I-135, Warranty of Construction, the Subcontractor must establish a warranty management system that assures that any work that does not conform to the Subcontract requirements, or any defect in material, equipment or design which was furnished, is remedied within a reasonable time. If the Subcontracting Officer determines that the failure to conform or defect causes an unacceptable interruption of SURA or SURA's other subcontractors, the Subcontracting Officer may direct the Subcontractor to take immediate action to remedy the failure to conform or defect. When directed by the Subcontracting Officer, all actions taken to affect an immediate remedy shall be at the Subcontractor's expense and shall consist of the following:
  - (1) The Subcontractor shall assure an on-site inspection of the failure or defect is made within four (4) hours after being notified by SURA of the failure or defect, if such notification is made between 8:00 A.M. and 5:00 P.M. on Monday thru Friday. If such notification occurs at another time or on a Holiday, the on-site inspection shall be made within twenty-four (24) hours after being notified by SURA.
  - (2) The Subcontractor shall remedy the failure to conform or defect as soon as is considered practical based on the severity and complexity of the failure or defect. To accomplish the remedy as soon as practical, the Subcontractor shall utilize expedited procedures such as express transportation and overtime. Should SURA determine that the Subcontractor has failed to remedy any failure or defect as soon as practical, SURA shall have the right to replace, repair, or otherwise remedy the failure or defect at the subcontractor's expense.
- (b) After determining what will be required to remedy any failure or any defect, the Subcontractor shall provide the Subcontracting Officer or designated representative a schedule for completing the remedy.
- (c) Prior to SURA taking Beneficial Occupancy of any facilities completed under this Subcontract, the Subcontractor shall submit a plan for managing all warranty provisions of this Subcontract to the Subcontracting Officer for review and approval. This plan must demonstrate that the Subcontractor can respond within a reasonable time to normal warranty calls, and immediately, as defined above, to failures or defects which are determined by the Subcontracting Officer to require such urgent action.